

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
MIAMI DIVISION

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CASE NO.: 05-22262-CIV- MARTINEZ/BANDSTRA

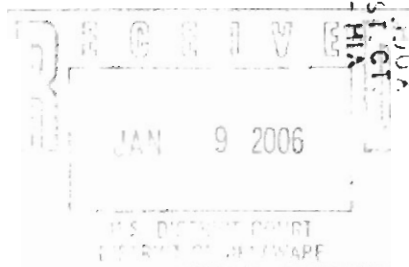
NATHANIEL SCHWARTZ,
individually and on behalf of all others
similarly situated,

Plaintiffs,

v.

INTEL CORPORATION, a Delaware
Corporation

Defendant.



**AGREED MOTION FOR ENLARGEMENT OF TIME
AND MEMORANDUM OF LAW IN SUPPORT**

Plaintiff, NATHANIEL SCHWARTZ and Defendant, INTEL CORPORATION, submit this Agreed Motion for Enlargement of Time and Memorandum of Law in Support for Defendant to Respond to Plaintiff's Complaint and with respect to the Local Rule 16.1 deadlines and proceedings set forth in the Court's August 18, 2005 Order upon the following grounds:

1. Plaintiff filed this action on or about August 16, 2005.
2. Counsel for Plaintiff and Defendant have been in contact and both parties agree to an enlargement of time for Defendant to respond to the Complaint to either (1) the earlier of 60 days after transfer of the above-captioned case pursuant to any motion to coordinate or consolidate pre-trial proceedings pursuant to 28 U.S.C. § 1407 or such time for response that the transferee Court may require for any action made part of the same MDL, or (2) 45 days after any such motion has been denied. Similarly, the Local Rule 16.1 deadlines and proceedings set forth in the Court's August 18, 2005 Order should be extended.

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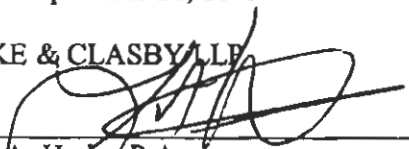
3. The above-styled action is one of 69 related federal putative class actions challenging the same alleged conduct by Intel. All these class action are subject to a pending petition before the Judicial Panel on Multidistrict Litigation ("JPML") for MDL treatment. The JPML will hear arguments on the petition and proposed MDL venues on September 29, 2005. Intel has sought the requested extension in all these actions – which had a wide range of response dates – in order keep all the class actions on the same track. To date, every Court that Intel has moved for this extension has granted it.

4. This motion is not filed for purposes of delay, but rather sought to ensure uniform treatment of these 69 class actions. No prior extensions of time have been sought or granted.

5. A proposed Agreed Order is attached for the Court's consideration.

Dated: September 26, 2005.

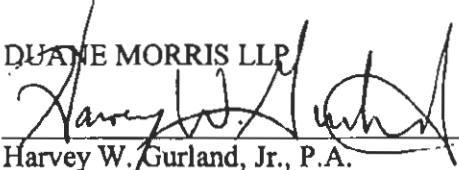
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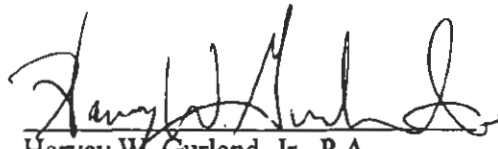
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing instrument was sent via United States Mail this 27th day of September, 2005, to: Lance A. Harke, P.A., Howard M. Bushman, Esq., Harke & Clasby, LLP, 155 South Miami Avenue, Suite 600, Miami, Florida 33130 and Steve W. Berman, Esq., Anthony D. Shapiro, Esq., 1301 Fifth Avenue, Suite 2900, Seattle, Washington 98101.


Harvey W. Gurland, Jr., P.A.

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
MIAMI DIVISION**

CASE NO.: 05-22262-CIV- MARTINEZ/BANDSTRA

NATHANIEL SCHWARTZ,
individually and on behalf of all others
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Plaintiffs,

v.

INTEL CORPORATION, a Delaware
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Defendant.

ORDER GRANTING AGREED MOTION FOR ENLARGEMENT OF TIME

THIS CAUSE having come before the Court on Plaintiff, NATHANIEL SCHWARTZ and Defendant, INTEL CORPORATION's Agreed Motion For Enlargement of Time to respond to Plaintiff's Complaint, and the Court having considered the record and being otherwise duly advised in the premises, it is hereby,

ORDERED AND ADJUDGED that the Order Granting Agreed Motion for Enlargement of Time be and the same is hereby **GRANTED**. INTEL CORPORATION's response to Plaintiff's Complaint shall be due either (1) the earlier of 60 days after transfer of the above-captioned case pursuant to any motion to coordinate or consolidate pre-trial proceedings pursuant to 28 U.S.C. § 1407 or such time for response that the transferee Court may require for any action made part of the same MDL, or (2) 45 days after any such motion has been denied. The Local Rule 16.1 deadlines and

proceedings set forth in the Court's August 18, 2005 Order are extended pending further Order of the Court.

DONE AND ORDERED in Chambers in Miami, Florida this ____ day of _____, 2005.

UNITED STATES DISTRICT JUDGE

Copies furnished to:

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